

IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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ROBERT E. ARGUE, III,	:	
Plaintiff	:	CIVIL ACTION NO. 02-9521
	:	JURY TRIAL DEMANDED
	:	
v.	:	
	:	
DAVID DAVIS ENTERPRISES, INC., t/a	:	
DAVIS ACURA,	:	
Defendant	:	
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**PLAINTIFF'S RESPONSE TO DEFENDANT'S
MOTION TO STAY EXECUTION OF JUDGMENT**

Plaintiff, Robert E. Argue, by his counsel, Charles J. Weiss, Esquire, hereby responds to Defendant's Motion to Stay the Execution of Judgment pending the disposition of the parties' post-trial motions and states as follows:

1. On March 4, 2008, this Court entered its final judgment for plaintiff and against defendant in plaintiff's civil action, awarding plaintiff the amount of \$127,500.00.
2. On March 14, 2008, plaintiff filed three separate motions to modify, alter, or mold the judgment/verdict.
3. On March 17, 2008, defendant filed a Motion for Judgment as a Matter of Law or in the Alternative for a New Trial and a Motion to Alter or Amend the Verdict.
4. Defendant now seeks to stay the execution of judgment entered by this Court on March 4, 2008, pending the disposition of all post trial motions filed by the parties. Under Rule 62(b), plaintiff is entitled to protection for its judgment in the nature of a bond for the full amount of the judgment plus costs.

5. Plaintiff generally does not oppose defendant's motion, however, if defendant is unwilling to post the bond, the Court should not grant defendant's motion and permit immediate execution on the judgment.

TIMONEY KNOX, LLP

s/Charles J. Weiss
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Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I, Charles J. Weiss, Esquire, counsel for Robert E. Argue, III, do hereby certify that a true and correct copy of Plaintiff's Response to Defendant's Motion to Stay Execution of Judgment, was served electronically upon and, also, forwarded to the below listed counsel by prepaid, first-class U.S. Mail dated April 9, 2008:

Veronica W. Saltz, Esquire
SALTZ HOLLAENDER, P.C.
993 Old Eagle School Road
Suite 412
Wayne, PA 19087

By: s/Charles J. Weiss
Attorney for Robert E. Argue, III